

PATRICK HEARS HILL PLEAD.

SENATOR ARGUES FOR THE CONVICTED MURDERER.

Accused Taken From Albany to Sing Sing under Court of Appeals Order—Contents That His Death Was Not Caused by Chloroform—Other Points.

ALBANY, March 14.—Albert T. Patrick, the lawyer who has been in Sing Sing for almost three years under sentence of death for the murder of William M. Rice, the aged millionaire, breathed the fresh air and sunshine of freedom to-day under the permission he secured from the Court of Appeals to appear before it in connection with the argument of the appeal in his own case.

In accordance with the order of the Court of Appeals, which came to Patrick from Chief Judge Cullen in response to the lawyer's written plea, William Johnson, the Sing Sing Prison put Patrick in custody of State Detective Jackson and sent him to this city this morning. The detective and prisoner arrived shortly before midday on the Empire State Express.

Patrick was taken by Detective Jackson to the office of State Superintendent of Prisons Collins, in the Capitol, where he was greeted by the Superintendent and made comfortable while a message was sent to ex-Senator Hill, his counsel, that his arrival. It is understood that Mr. Hill sent a representative to talk with Patrick, but that he did not meet his client until they came together in the court room late this afternoon.

While Patrick was in the office of the State Superintendent of Prisons he was joined by his mother and his two daughters, aged 9 and 14 years, with whom he conversed for over an hour. The little girls cried when he saw the lawyer. Patrick also was visited by the capitol by his sister, Mrs. John F. Millikin.

In the argument before the highest court this afternoon Senator Hill made the plea for a new trial for Patrick, and arrayed on the side of the people were Judson S. Landon, formerly an Associate Judge of the Court of Appeals, and Assistant District Attorney Howard S. Gans of New York. It is the understanding that Senator Hill is retained in the case by Patrick's brother-in-law, who is a wealthy resident of St. Louis. His wife, who is Patrick's sister, is now in Albany awaiting the result of the argument before the court.

When the case was reached for argument this afternoon the seats in the Court of Appeals chamber were all taken and two policemen were stationed at the outer door to keep out late arrivals. These policemen in the performance of their duties turned down Senators, Assemblymen and State officials regardless of their rank and permitted to enter only attorneys interested in the case before the court.

About the time Senator Hill arrived, Patrick came up from the office of State Superintendent of Prisons Collins and, entering the courtroom, took a seat on one side. His oldest daughter sat down on one side of him and the younger one sat in his lap, while Patrick's sister and mother occupied adjoining chairs on the other side of the accused and Detective Jackson sat next to them. Mrs. Albert T. Patrick was not in the room and it is believed she did not come to the trial.

On the calling of the case for argument to-day it was agreed that counsel might have four hours time for the presentation of each side. Senator Hill had consumed less than two hours when the Court adjourned at 6 o'clock.

Senator Hill urged a reversal of the judgment of conviction and the granting of a new trial on these grounds, among others: "That there was no adequate evidence that a murder had been committed, the testimony of the attending physician being that death was due to natural causes."

"That the congestion of the lungs relied upon by the doctor as the cause of the theory of death by chloroform was due to the embalming fluid."

"That there was no adequate motive for murder established by the evidence, and that the motive for the murder was a desire for the death of a testator as a fraudulent or forged will."

"That the motion for a new trial on the ground of newly discovered evidence should have been granted, that evidence having disclosed an unlawful and corrupt bargain between the doctor and the witness Jones, whereby the latter was to escape all punishment whatever for his confessed crime in case he would testify implicating the defendant Patrick in the crime of murder."

"That the motion for a new trial should have been granted on another ground. Whether Rice died from violence or from natural cause was the important contested question on the trial. It largely depended upon the evidence of two coroners' physicians, who examined the lungs after the autopsy, and those physicians were represented on the trial by the prosecution as 'disinterested public officials,' having no pecuniary or selfish interest to serve in giving their testimony, whereas it has been discovered since the trial that these witnesses had been privately retained by the prosecution and had received for their services several thousand dollars, which compensated public officials had no lawful right to accept."

"That the conduct of the Court below was such that a fair and impartial trial was not had. The Recorder, in his undisguised zeal for the prosecution, deprived the defendant of his rights in instances too numerous to mention."

SHOTS ON DIVORCE SUIT DAY.

Italian Woman Ledes Four Bullets in Young Laborer, but He Won't Die.

Antonio Catono, a young laborer of 191 Mott street, was shot four times yesterday afternoon by Mrs. Maria Prisia. The woman's husband is suing her for divorce. The case was up in a Brooklyn court yesterday.

Catono and the woman had a quarrel yesterday afternoon. Frank Geraci, a butcher on the ground floor, who lives opposite Catono, heard the shots and ran upstairs. He found Catono in his room. None of the wounds is likely to prove fatal. The woman threw the pistol on the steps as she ran out of the house. The police have not been able to find her. Catono is in St. Vincent's Hospital.

Family of Six Dies in Six Months.

SCRANTON, Pa., March 14.—In the death of Joseph Rukowsky, whose body reached Duryea for burial to-day, death has made a clean sweep of a family in six months. There were six brothers and sisters, three in this country and three in the old. Mother and father passed away years ago. Joseph, George and Gustav came to this country and prospered. Each of them found death in the mines. Two brothers fell in the defense of Port Arthur. A sister met death through a runaway horse.

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LIVE TOPICS ABOUT TOWN.

A small boy with a big package of evening papers under his arm was knocked down by an automobile as it turned into Fifth avenue a few days ago. One of two fashionably dressed young women who were walking down the avenue hurried to the boy, helped him to his feet and wiped his dirt and bleeding face. In a dazed way he tried to gather up his papers. The girl, quickly taking those he had from him and picking up the rest, proceeded to offer a paper to each passer. The boy, bruised and with torn coat, stood wondering beside her. The avenue was crowded and in a very short time every paper was disposed of at fancy prices and the young woman handed the boy \$4.50.

"(See, lady, you're all to do good. That's more'n I make in a week," said the boy as he pocketed the money and limped away, mopping his still-bleeding face with the young woman's handkerchief.

Magistrate Pool journeyed down to the Jefferson Market police court in curious fashion the other morning. While the strike was on there was run on the elevated railroad a flat car laden with cans of coffee and milk and hampers of sandwiches for the guards and other new employees who could not leave their posts. The Magistrate was late in starting for court and a first train to land at his station was the flat car laden with rations. He explained his haste, was taken on board and landed at Eighth street, enthroned amid the cans and hampers.

There was a time when the New Yorker looked askance at any goose liver paste which did not come from Strasbourg, but there is no such prejudice now.

"The epicures are all demanding a pate made in Austria," said one of the Fifth avenue fine grocers. "It was imported first to this country several years ago. It is made in Salzburg, and, like the goose liver paste always used to be made, it is pink in color. Other cities have tried to win from Strasbourg the supremacy in making this dainty, but only this Austrian maker achieved that distinction."

"I observe with interest that an actress is going to take up house decoration," said a woman who had made a reputation and fortune for herself in another line of woman's work. "I wonder if she will make as much money out of it as I did. It was the first thing I ever undertook when I found I had to work. A friend told me he wanted his house done over. It was a great success except from a business point of view. My friend failed and never could pay me of the bills I had run up for him. Luckily I now have \$500,000 and will be able to pay that off and have no further cause to remember my career as a decorator."

Imitation violets made of tissue paper have caught the fancy of typewriters and other employees in the big downtown buildings and the street fakirs are happy. The violets are of the telescopic order and when extended look like a cross between a Japanese lantern and a concertina. As a makeshift in a downtown store leaped over to talk to a man customer the bunch of violets on her waist shot toward him like a jack-in-a-box. The young man looked amazed.

"Oh! it's all right," he said as he looked at the accordion-plated affair. "I don't mind it a bit so long as it doesn't play a tune."

One of the interesting features in the management of the horse car lines terminating at the South Ferry is the emergency blacksmith. A little old man with a box of horseshoe's tools awaits the arrival of every car. Should a horse come in with a loose shoe or nail missing he quickly makes the necessary repairs. The old man is an expert at his job, and passengers on the cars often look on amazed as he puts on a shoe in a jiffy.

"I'm sorry the strike is over," confided the conductor of a Broadway car.

"Why?" he was asked.

"Cause I was carrying such crowds I couldn't ring the bell enough. I had to make my return tally with the register at the end of each trip, and through no fault of my own I always had a handful of nickels over. It certainly was easy graft while it lasted."

A pretty, dark haired girl of 12 years sat in a box at the Majestic Theatre at a matinee of "Buster Brown" recently. With her were several other children and an elderly woman. Before the show was half over it became noised about in the audience that the President's daughter was in the box.

The audience rubbered, but none could pick out President Roosevelt's daughter, as they supposed she must be. They were mistaken. The President's daughter, the daughter of Leonidas Plaza, President of the Republic of Ecuador in South America. Little Miss Plaza attends a Catholic school at Garden City, L. I., and is often brought over to the theatre here.

The Normal schools teach their subjects in class by "development" and sometimes they get curious results from the children. A teacher giving a lesson in colors was getting along swimmingly. He had obtained from the children, by the inductive method, the names of all the primary colors except violet. He had failed to get the word violet before they without the teacher's aid, directly so, he resorted to the plan of introducing the word violet and then connecting the flower violet with the meadow in the meadow.

"How many of you know what a meadow is?" he asked.

"Everybody knew."

"How many of you have seen a meadow?" he suggested. They all had.

"How many can tell me what grows in a meadow?" he beamed, getting nearer to his color word.

All hands went up.

"Well, Mamie," he said to the star pupil, "you may tell me what grows in a meadow."

"Cows," responded Mamie with enthusiasm.

OBITUARY.

Dr. Edwin J. Howe, one of the wealthiest practicing physicians in Newark, was found dead and half-dressed lying across his bed at 22 East Kings highway, in Newark, at 10 o'clock yesterday morning. He had retired at the usual hour, and the indications were that he had gone to his laboratory after partly dressing. Dr. Howe, after being married to the late Mrs. Mary Howe, a physician and surgeon in this city as an allopathic physician, took up the study of homeopathy, saying that he wanted to know all the facts in every branch of practice. He obtained his degree in the homeopathic college. His father was Dr. John M. Howe of this city, who had a summer home in Orange, where Edwin J. Howe was born in 1846.

He is survived by his wife, who has been an invalid for years, his mother, three brothers and a sister. His grandfather was Major Bazel Hove of the Revolutionary Army, and his earliest progenitor in this country was John Hove, who settled in Marlborough, Mass., in 1638. His grandfather, Major Hove, was one of George Washington's personal aids and was retired with the rank of major after twenty-one years of service.

Dr. W. T. Walke, aged 60, residing at 100 West 11th street, died at his home, 312 Degraw street, on Monday at 10 o'clock. He was a native of New York city and a brother of Henry Walke, who some time ago committed suicide in New York city, and of Richard Walke, a physician, who committed suicide by jumping from a New York European liner at sea, died in Norfolk, Va., yesterday.

James Reedy, an old time street paving contractor of Brooklyn, died on Monday at his home, 312 Degraw street, on Monday at 10 o'clock. He was born in New London in 1820 and lived in Brooklyn for sixty years. He leaves a widow and three sons.

Solomon Rugele died yesterday at Hillsboro, Tex., aged 80. He was a veteran of the battle of San Jacinto, fought the Mexican War as an American Volunteer and served as a Confederate soldier in the war between the States.

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Samples and style book sent free.

CITY GAS INQUIRY ORDERED.

STATE SENATE VOTES FOR A LEGISLATIVE QUIZ.

Assembly Likely to Concur in the Page Resolution—One Move in a Hearst-Odell Bargain, Says Grady—Legislature to Adjourn in Four Weeks.

ALBANY, March 14.—There is to be a legislative inquiry by a committee of three Senators and four Assemblymen to determine the cost of furnishing gas and electricity by the lighting corporations in New York city.

The Senate to-day passed the resolution introduced by Senator Page, which he received from Chairman Benjamin B. Odell, Jr. This resolution provides that the committee shall report to the Legislature as soon as possible with such remedial legislation as it may deem proper.

Senator Raines, the leader of the Republicans in the upper branch of the Legislature, intimated to-day that the Legislature would be in session only about four weeks more. He is of the opinion that the investigation into the New York city lighting situation will be concluded in time to permit of the passage by the present Legislature of a bill reducing the price of gas in New York city.

The Page resolution is a concurrent one and must pass the Assembly. It is not expected the resolution will meet much opposition. The conference which was held at the home of Senator Frederick C. Stevens (Rep., Wyoming) ended after 1 o'clock this morning. It was expected the resolution would be defeated. Then it was announced that enough votes had been secured to pass it.

However, the credit for passing the resolution belongs to Gov. Frank W. Higgins. Without his aid it would not have gone through. When the triumvirate of Odell, Raines and Stevens met to-day, Odell, the Governor and he came to their aid.

Senator Page in moving the adoption of the resolution said that the investigation was in the interests of the people of the city of New York and insisted that no Republican Senator could afford to desert his duty in this crisis.

Senator Grady (Tam.) declared that the resolution was planned to "shake down" the New York city gas companies in order to secure a reduction in the price of gas in New York city, as well as to please William R. Hearst, who had made a bargain with Odell to run a third municipal ticket in New York next fall if Odell would help Hearst in his fight against the Tammany administration on the gas question.

Senator Raines said that if Tammany Hall was sincere in its advocacy of a 20 cent gas bill the Democrats should at least favor an investigation, and he pointed out that if the effect would be to help the party's chances in next fall's campaign for Mayor in New York city, as well as to please William R. Hearst, who had made a bargain with Odell to run a third municipal ticket in New York next fall if Odell would help Hearst in his fight against the Tammany administration on the gas question.

The resolution was attacked by Senator Coggeshall (Rep., Oneida). They could see no good in it and insisted that it had not been introduced in good faith.

Senator Coggeshall attacked the resolution appended to permit the committee to investigate the lighting conditions in all of the cities of the State. This Senator Coggeshall opposed, declaring that if there were complaints from other cities he had no right to hear of them.

Senator Raines also opposed the amendment insisting that the Legislature was within four weeks of final adjournment the investigating committee should not be hampered with any work outside of New York city, because it must not report to the Legislature in time if given a roving commission.

The Coggeshall amendment was defeated by a vote of 27 to 22. Senators Ambler, Cassidy, Coggeshall, Gardner, Hinman, L'Honnemelle, Prime and Wilcox (Republicans) voting with the Tammany Democrats for the amendment. The only absentee was Senator Armstrong.

Then by a vote of 36 to 13 the Page resolution was adopted without amendment, and it now goes to the Assembly for concurrence. The resolution is not expected to have much trouble in getting through the lower house. The vote by which the bill passed is as follows:

Ayes—Alldis, Barnes, Brackett, Brown, Burr, Carpenter, Cobb, Cooper, Cordis, Davis, Deane, Ebborg, Fancher, Feltner, Fitzgerald, Hill, Hinman, Lewis, L'Honnemelle, Malby, McEwan, Pate, Prime, Raines, Sax, Stevens, Tully, Warwick, and White (Rep.) and Foley, Frazer, Hawkins, Keenan, Kelce and Riordan (Dem.).

Noes—Ambler, Cassidy, Coggeshall, Gardner and Wilcox (Rep.), Cullen, Doelling, Fitzgerald, Gray, Hasenflug, Marks, Martin and McGowan (Dem.).

The Democratic made a strenuous effort to defeat Senator Raines's bill providing for the investigation of the State companies in May next and ending in June, when it came up in the Assembly to-day for final passage.

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The QUALITY of our Goods (the BEST) made us famous—The LOW PRICES won our marvelous popularity.

Nowhere can the finest Staple and Fancy Groceries, and Canned Goods be purchased at such attractive prices. A test order will reduce expense and add to comfort. The following indicate prices throughout:

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Fruited the finest on the market. We make catsup from red, ripe tomatoes in silver blenders. Absolutely pure, no preservatives of any kind; nothing but tomatoes, sugar, vinegar, and the finest spices. Price per bottle \$20.
Price per dozen \$240.
Also half pint and quart bottles and gallon jars. All the same fine quality.

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Price per dozen jars \$500.
Also same quality in one-gallon packages.

Amcheat Baking Powder.
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Price per dozen \$240.
Also half pint and quart bottles and gallon jars. All the same fine quality.

Amcheat Chili Sauce.
Recommended to be one of the finest condiments on the market. The original recipe for making this famous sauce came from a celebrated chef. It has an originality to flavor. This, at our Catsup, is made from fresh, ripe tomatoes. Price per bottle \$20.
Price per dozen \$240.
Also half pint and quart bottles and gallon jars. All the same fine quality.

Amcheat Cranberry Sauce.
We have produced the finest quality Cranberry sauce on the market, under our Amcheat brand, put up in 10 pound, 5 pound, and 2 1/2 pound cans. Made of Cape Cod Cranberries (sweet grown) and granulated sugar. Price per 10 lb. rose jar, \$50.
Price per dozen jars \$500.
Also same quality in one-gallon packages.

Amcheat Baking Powder.
An absolutely pure Cream of Tartar Baking Powder. Contains nothing but the finest quality of pure Cream of Tartar, Soda, and starch. Thoroughly sterilized and most carefully made and packed. Price per 1 lb. can \$30.
Price per dozen cans \$360.
Also 1/2 lb. half-pint and 5-pound cans.

Amcheat Rolled Oats.
Another Rolled Oats are put up only in 5-pound cans. Made from the finest quality of Ohio Oats, thoroughly and carefully cleaned, and free from bran or chaff. Price per 5 lb. can \$10.
Price per dozen \$120.
Also 1/2 lb. half-pint and 5-pound cans.

Amcheat Rice.
The finest quality of table Rice. Thoroughly cleaned and polished. All carefully selected, and free from bran or chaff.